Governance in the US Columbia River Basin

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Today's Topics

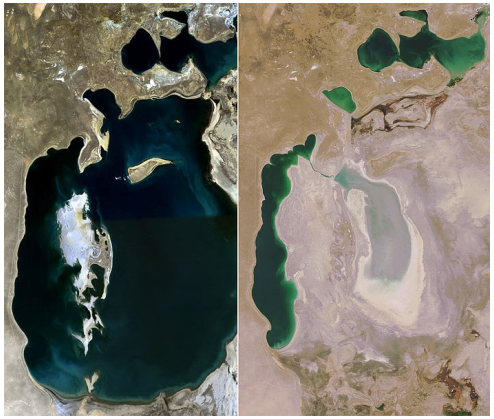
Focus: Columbia River Basin governance systems

- Geographic and Historical Overview
- Institutional Context
- Models of Governance
- Open Discussion

Governance systems are functions of history, culture, and institutional interests; "rationality" is not enough.

Geography

Aral Sea / Syr Darya / Amu Darya



Syr Darya / Naryn drainage:

- Area: ~782,617 km² (302,090 miles²)
- Length: ~3,019 km (1,880 miles)
- Average flow: ~37 km³ / year (30 MAF)

Amu Darya drainage:

- Area: ~465,000 – 612,000 km² (179,490 – 236,230 miles²)
- Length: ~2,540 km (1,580 miles)
- Average flow: ~74 km³ / year (60 MAF)

Jurisdictional boundaries:

- Six sovereign countries

Geography

Columbia and Major Tributaries

Columbia River drainage:

- Area: ~668,220 km² (258,000 miles²)
  - About the area of France
- Length: ~1,920 km (1,200 miles)
- Average flow: ~165 km³ / year (134 MAF)
  - *Significant* seasonal and annual fluctuations

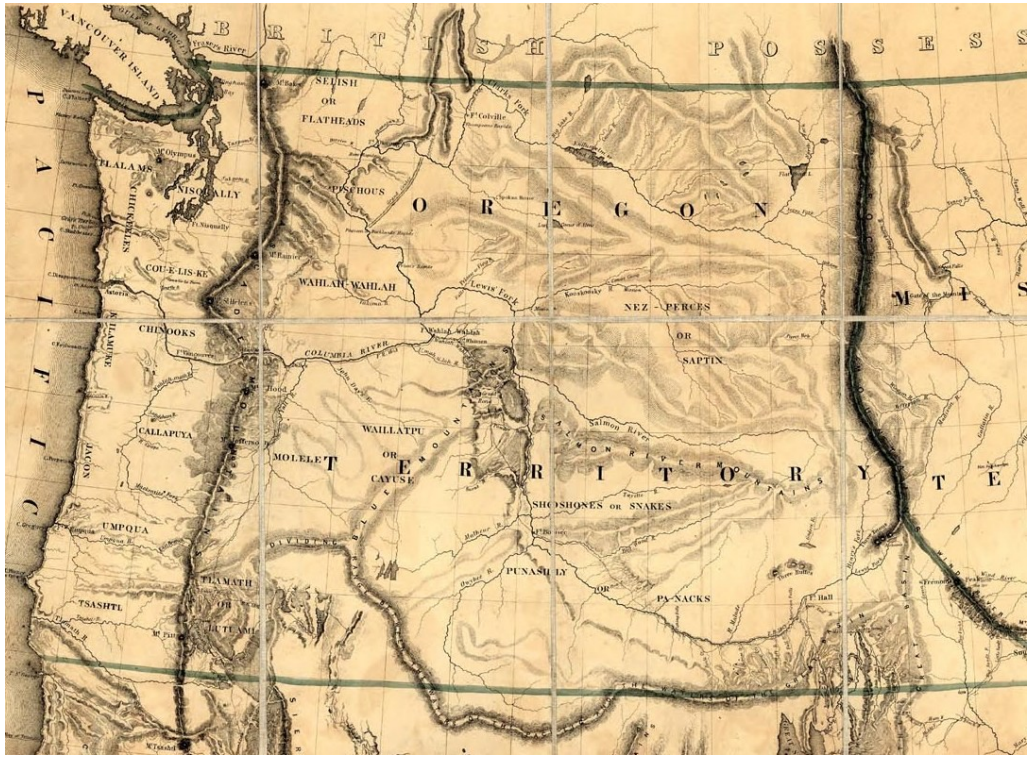
Jurisdictional boundaries:

- Two countries
- 6 States
- 13 Native Indian Tribes
- Multiple federal, state & local governments and agencies

Primary purposes:

- Hydropower, flood control, navigation, irrigation, water supply, recreation, and

History



Oregon Territory – 1848
(Fremont Survey)

- Tribal societies
- 1804-1806: Lewis and Clark
- The “Legend of Inexhaustibility”
  - Furs, fish, timber, minerals, soil
- “Island communities”
- 1848: Gold!!
  - Demand for timber and food (fish, agriculture)
- 1855: Tribal treaties and displacement
- Statehood:
  - 1859: Oregon
  - 1889: Washington
  - 1890: Idaho
- 1927: “308” reports
- 1937: Bonneville Project Act
- Fed dam construction: 1909-1977
- 1964: Treaty with Canada

Historical Legacy

- "The American Creed": liberty, equality of opportunity, individualism, populism, and laissez-faire
- Strong sense of localism; skepticism of central authority
- Resource extraction central to early economy
- Tribal displacement; trust and treaty obligations
  - Tribal traditional worldviews on natural resources
  - Tribal sovereignty movement
- River developed for multiple purposes:
  - Navigation
  - Irrigation
  - Hydropower
  - Flood control (flood risk reduction)
  - Water supply
  - Recreation
  - Fish and wildlife conservation
- Role of developed river in regional economy
- Environmental consequences

Institutional Context

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Key Institutional Points:

- Management of river is a federal responsibility
  - Relationship with Canada
  - Relationship with Indian Tribes
  - Interstate commerce
  - Missions and authorities of federal agencies
  - *BUT…*
- Management responsibility split between three agencies
- Strong oversight from three regulatory agencies
- State / local authorities for fisheries, land and water use
- Tribal trust and treaty rights
- "3rd Party" rights under the Endangered Species

Columbia River Institutional Interests

Federal Agencies

- Bureau of Land Management
- Bureau of Indian Affairs
- US Geological Survey
- **Bureau of Reclamation**
- US Forest Service
- NOAA Fisheries
- **Bonneville Power Administration**
- US Fish and Wildlife Service
- Environmental Protection Agency
- **US Army Corps of Engineers**

Interest Groups

ENVIRONMENTAL & FISH
American Rivers
Federation of Fly Fishers
Idaho Steelhead & Salmon Unlimited
Idaho Rivers United
Institute for Fishery Resources
NWF--National Wildlife Federation
NRDC--Natural Resources Defense Council
NRIC--Northwest Resource Information Center
NSIA--Northwest Sportfishing Industry Assn
ONRC--Oregon Natural Resources Council
PRC--Pacific Rivers Council
SOWS--Save Our Wild Salmon
Sierra Club
Trout Unlimited

INDUSTRY
CSRIA - Columbia Snake River Irrigators Association
IWUA --Idaho Water Users Assn
IPC--Idaho Power Company
Northwest Irrigation Utilities
NPP--Northwest Power Pool Coordinating Pool
NWPPA--Northwest Public Power Assn
PNGC--Pacific Northwest Generating Cooperative
PNUCC--Pacific Northwest Utiliti Conference Committee
PNWA--Pacific Northwest Waterways Assn
PPC--Public Power Council

Native Indian Tribes

Tribal Coalitions
Columbia River Inter-Tribal Fish Commission (CRITFC)
Upper Columbia United Tribes (UCUT)
United Snake River Tribes (USRT)

Burns Paiute Indian Colony
Coeur D'Alene Tribe of the Coeur D'Alene Res
Confederated Salish and Kootenai Tribes of the Flathead Res
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Colville Res
Confederated Tribes of the Umatilla Indian Res
Confederated Tribes of the Warm Springs Res
Kalispel Indian Community of the Kalispel Res
Kootenai Tribe of Idaho
Nez Perce Tribe of Idaho
Shoshone/Bannock Tribes of the Fort Hall Res
Shoshone-Pauite Tribes of the Duck Valley Res
Spokane Tribe of the Spokane Res

State Agencies

Idaho Dept of Fish & Game
Oregon Dept of Fish & Wildlife
Washington Dept of Fish & Wildlife
Montana Dept of Fish, Wildlife & Parks

Northwest Power & Conservation Council

Oregon
Washington
Idaho
Montana

CBFWA: Columbia Basin Fish & Wildlife Authority

Models of Governance

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Between 1933 and 2010...

- 29 governance models proposed
- 15 established
- Two general categories
- Six models

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Authoritative Models

- Decision-making models
- Eight proposed
- Three model types:
  - Market Model: decisions made by private enterprise
  - “Iron Triangle” Model: decisions by individual government agencies
  - Columbia Valley Authority Model: decisions by one overarching agency

Since 1933, the region rejected <u>all</u> authoritative model proposals

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Collaborative Models

- Consensus-based models
- Twenty-one proposed
- Three model types:
  - Federally Led
  - State Led
  - Three Sovereigns

Since 1934, the region established 15 collaborative governance systems

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Five Current Governance Networks

- Northwest Power and Conservation Council
  - Established through 1980 Power Act
  - Produces energy plans and fish and wildlife program
  - “State Led” model
  - Eight Members appointed by four state governors; permanent staff
  - Input from states, tribes, and regional stakeholders

- Columbia Basin Federal Caucus
  - Established by memorandum of understanding in 2000 (revised 2008)
  - Ten participating agencies
  - Members appointed by executives; contracted coordinating staff
  - Coordinates federal activities for fish recovery
  - “Federally Led” model (federal only)

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Current Governance Networks (continued)

- Regional Implementation Oversight Group
  - Assumed functions of former “Regional Forum”
  - Oversees implementation of 2008 Biological Opinion
  - “Three Sovereigns” model
  - Two tiered structure: Policy and Technical; no dedicated staff
  - Technical teams:
    - Technical Management Team
    - System Configuration Team
    - Water Quality Team

- Columbia Basin Fish and Wildlife Authority
  - Members: federal, state, and tribal “salmon managers”
  - Serves to inform Power and Conservation Council
  - Permanent staff

Current Governance Networks (continued)

- Salmon Recovery Planning and Implementation Forums
  - Four in Columbia Basin (Upper, Mid, and Lower Columbia; Snake River Basin)
  - Focus on Endangered Species Act salmon and steelhead recovery
  - “Three Sovereigns” model
  - Emphasis on local planning and implementation

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Lessons from Columbia Basin Governance

- Strong preference for collaborative network governance
- Thoughts on the role of law:
  - Authoritative Models: necessary, but not sufficient
  - Collaborative Models: neither necessary nor sufficient
- Inclusiveness:
  - Legitimacy depends on relevant parties having a voice in the process
- Governance efforts initiated to create rational process, *BUT*…
- Underlying values, cultures, and identities influence perceptions of “rational”
- Give it time:
  - Successful governance allows time to build trust, confidence, and successes
- Role of facilitation and dedicated staff

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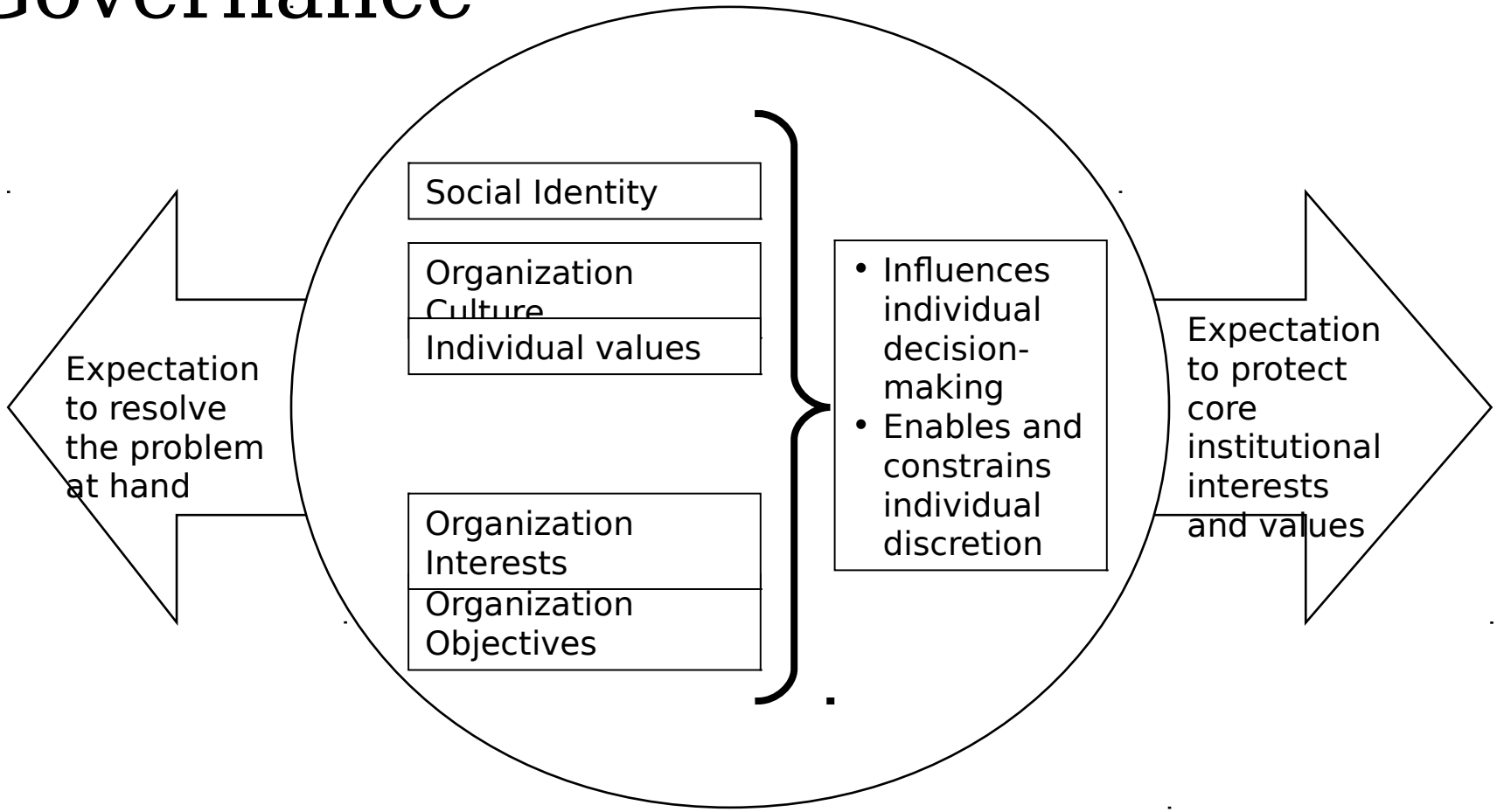
Tensions in Collaborative Governance



From Mogren (in development)

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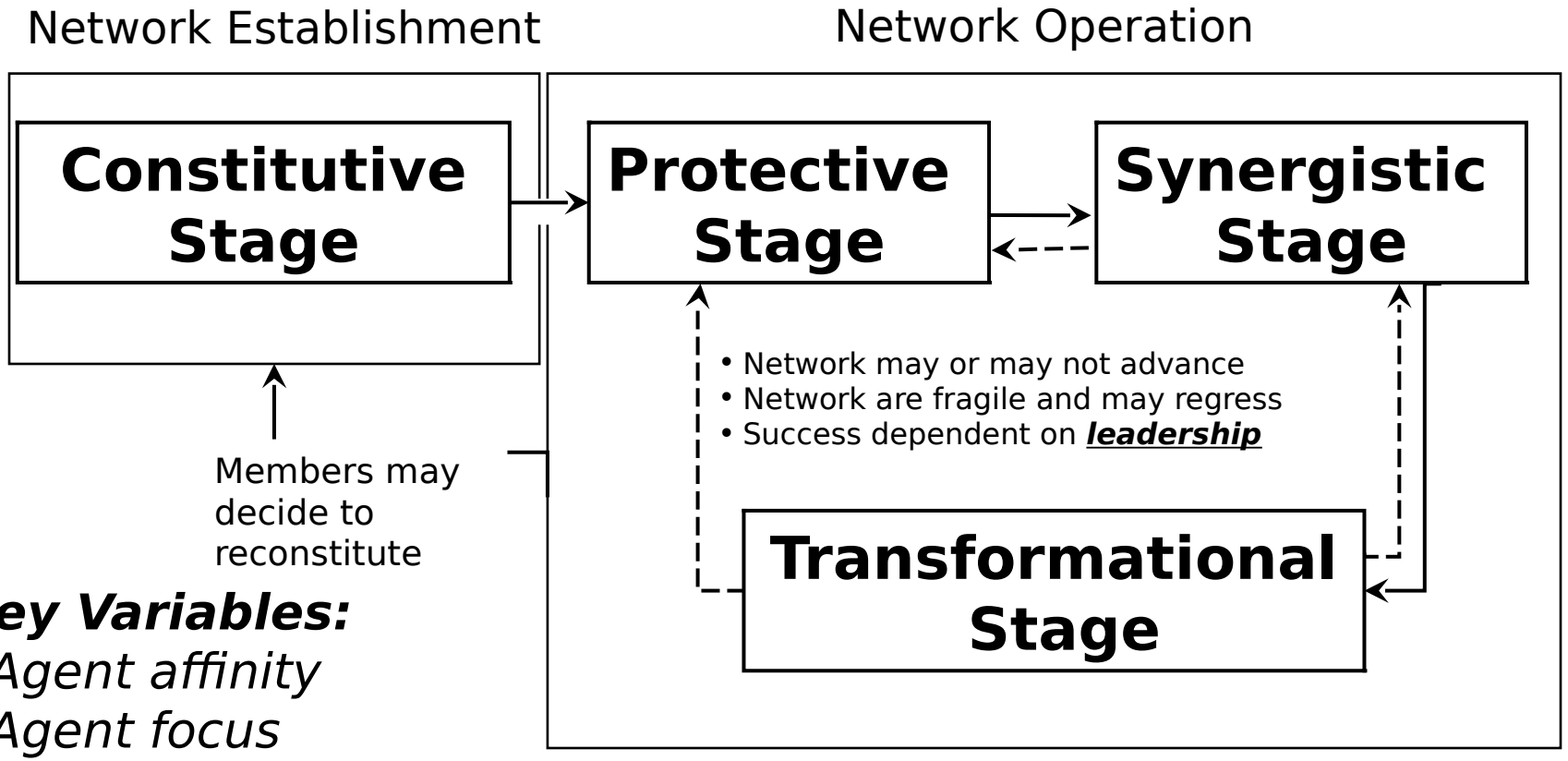
Stages of Network Evolution



Key Variables:

- *Agent affinity*
- *Agent focus*
- *Trust*
- *Discretion*

From Mogren (in development)

Questions and Discussion